# CD CP File

## States CP

### CP

#### Counterplan Text Resolved: The 50 United States and Washington, D.C. should guarantee the right to housing.

### Short Neb right shell

#### Counterplan Text Resolved: The 50 states of the United States and Washington, D.C. should guarantee repeal all laws that repeal any laws that prohibit cohabitation.

**Sirmans et al 03,** Stacy, and David Macpherson. "The state of affordable housing." Journal of Real Estate Literature 11.2 (2003): 131-156.

It is generally accepted that, **because housing market conditions can vary greatly** across geographic areas, **local** planning **agencies and governments have a greater understanding of the demographic** and housing characteristics for their regions and, therefore, are in a better position to develop effective housing strategies. **To better serve the housing needs for their jurisdictions, local governments have received greater flexibility from** federal agencies in pursuing housing policies. **The** National Affordable Housing Act (**NAHA)** of 1990 that instituted the HOME program of housing block grants is a good example. This program allows local jurisdictions to develop housing programs that fit into broad categories.

In order to develop effective housing programs, **local governments should analyze local demographic and housing market data. This**, **coupled with their understanding of local housing problems, should allow them to better establish housing priorities and develop appropriate policies.**

#### State constitutions are more apt for ensuring a right to housing—the CP solves better than the aff.

Kristen David Adams 08 (graduated from Emory Law School with honors in 1995 and received the degree of masters of law from Yale Law School in 2000. While at Emory, she was a managing editor of the Emory Law Journal. Professor Adams received her bachelor of arts degree cum laude from Rice University in 1992. She is a member of both Phi Beta Kappa and the Order of the Coif.). "Do we need a right to housing." Nev. LJ 9 (2008): 275. http://scholars.law.unlv.edu/cgi/viewcontent.cgi?article=1088&context=nlj RC

If the preliminary question, “Do we need a right to housing?”, is answered in the affirmative, an important follow-up question becomes, “Where can such a right be found?” **Because state constitutions often address housing, they may be a more promising source for a right to housing than the Federal Constitution** would be.197 In making the argument that a right to housing is already beginning to emerge in the United States, especially **at the state level, Florence Roisman shows how to piece together housing rights from existing rights to public assistance, child welfare, and shelter.**

### Logistics Biz

#### Local governments are more sensitive to cost and demographic and are thus more equipped to help. (also doubles as a solvency advocate).

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In order to develop effective housing programs, **local governments should analyze local demographic and housing market data. This**, **coupled with their understanding of local housing problems, should allow them to better establish housing priorities and develop appropriate policies.** Historically, a useful measure of local housing conditions is a household's housing cost burden (CB). This is the proportion of income needed to cover monthly housing costs. A household with housing cost burden above 30% is generally considered in hardship. Housing cost burdens above 50% are considered extreme and not maintainable. Nationally, HUD estimates the proportion of households with high (>30%) CBs and those with extremely high (>50%) CBs. These households receive priority in determining eligibility for housing assistance

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### Feasibility

#### The states have historically implemented policies to subvert housing discrimination.

Orfield ’05 Orfield, Myron. "Land use and housing policies to reduce concentrated poverty and racial segregation." Fordham Urb. LJ 33 (2005): 877. // LHP MK

This article recommends that land use and **housing policies** be marshaled **to reduce residential racial segregation** and concentrated poverty. Such policies **should be statewide**, or at least regional, in scope. **Isolated policies will encourage leap-frog development that** in turn **will promote** both **sprawl and racial segregation**. In response, this article reviews **housing and land use policies that several states have** enacted to **increase**[d] **the availability of affordable housing** in metropolitan regions **by countering sprawl and the effects of governmental fragmentation.** It illustrates these approaches with case examples of the most promising approaches thus far attempted in the nation’s metropolitan regions, and summarizes the empirical and analytic research evaluating the effectiveness of these policies. **The success of such policies is measured largely by the extent to which they increase** the **stock of affordable housing available** to non-White and poor residents, **and by their potential to reduce residential racial segregation**. The examples presented are the most hopeful illustrations of approaches that states and metropolitan regions can adopt to counter the inequitable effects of sprawl and fragmentation. 12 Secondly, **state legislatures must adopt a coordinated policy approach**. This article uses **Oregon’s** comprehensive **land use legislation [is]** as **a** paradigmatic **example of policies that effectively promote affordable housing and decrease urban sprawl**. Other regional government policies that promote integration and reduce sprawl also serve as useful models. The nine policies that I believe are necessary to promote stable metropolitan living patterns are discussed in Part VI of this article. With the adoption of a regional approach to governance of development and the nine policies laid out below, metropolitan regions can work to reduce sprawl and promote integrated communities.

#### States are capable of providing affordable housing, they just need to allocate more funding to do so.

Cooper ’14.Emily Cooper et. Al 3, Rachel Bergquist, Kevin Martone, and Melany Mondello, April 2014, State Funded Housing Assistance programs, Technical Assistance Collaborative, <http://www.tacinc.org/media/43566/State%20Funded%20Housing%20Assistance%20Report.pdf> pg. 2

Following advances in the treatment of mental illness during the second half of the 20th century, including psychopharmacological and community-based program interventions, increasing numbers of people with disabilities have had the opportunity to live in community-based settings. This was reinforced over the period by the growing consumer movement advocating the right and ability to live in community settings. Over time, states developed various residential treatment programs, primarily in the form of group homes or other facilities. **The development and expansion of federal housing assistance programs**, such as the Housing Choice Voucher program (formerly known as Section 8), also **became a resource for low-income individuals. However, insufficient resources to house people combined with marginal services resulted in increasing rates of homelessness**, incarceration, or admissions to local emergency departments and inpatient units. Beginning in the 1990s and continuing today, states are confronted with the integration mandate defined in the ADA and Olmstead and continued pressure from the consumer and advocacy voice; **the lack of** affordable housing, or more specifically the scarcity of **federal housing assistance, is often cited as a primary barrier to community integration for people with disabilities.** Unfortunately, the extent of the housing affordability crisis runs deep. The population served by the publicly funded mental health system tends to be extremely low income (ELI) with incomes below 30% of Area Median Income (AMI). There are more than 10 million ELI households in the United States7 – and non-elderly people with disabilities are disproportionately represented within this group. However, only 4.6 million ELI households, not even half, are served by federal mainstream housing resources, such as Housing Choice Vouchers. Many individuals with disabilities that fall into this group receive Supplemental Security Income (SSI). In fact, approximately 4.8 million adults with disabilities aged 18-64 received income from the SSI program in 2012, 1.7 million9 of whom were as a result of a mental disability.10 Nowhere in the United States can a person with a disability receiving SSI benefits afford housing at the Fair Market Rent.11 Without some form of rental assistance, there is little chance a person can secure decent housing integrated in the community. **In response, states have increasingly had to develop alternatives to federal housing assistance to meet the affordable housing needs of low-income individuals and families, including those with mental illness and other disabilities, or who are homeless or at risk of homelessness.** As will be described further in this report, **these programs have been a useful tool for many people, but fall short of meeting the existing demand** and have their own challenges

### Solvency NB’s

#### 1] SFHAPs target specific populations as opposed to a federal blanket policy.

Cooper 2.Emily Cooper et. Al 3, Rachel Bergquist, Kevin Martone, and Melany Mondello, April 2014, State Funded Housing Assistance programs, Technical Assistance Collaborative, <http://www.tacinc.org/media/43566/State%20Funded%20Housing%20Assistance%20Report.pdf> pg. 2

Despite the amount of funding that states allocate to SFHAPs, they are likely to fall short of demand. As a result, states are confronted with establishing tight eligibility criteria to target housing assistance to those most in need. **States have developed SFHAPs for specific populations based on population-specific priorities.** Only nine of the 77 state funded housing assistance programs target households based solely on their income. Rather, **the majority of the programs are designed to serve households with specific characteristics, such as those who are homeless or at-risk of homelessness, [or] those who are disabled**, victims of domestic violence, ex-offenders, and youth. For example, the Transitions Program in New Mexico provides housing vouchers for approximately 20 youth ages 18-21. Table 2 below documents the number of programs that serve distinct subpopulations. Note that **a single program may serve multiple subpopulations, such as homeless people and people with disabilities.** It is significant that a third of the SFHAPs target people with serious mental illness specifically; some programs even target a protected class of people such as those that are covered by a lawsuit or settlement agreement. For example, the Georgia Housing Voucher Program, operated by the Department of Behavioral Health and Developmental Disabilities, was established specifically for individuals with serious and persistent mental illness (SPMI) who are part of the Olmstead Settlement with the U.S. Department of Justice.12 Table 3 above lists those programs that are designed to meet the specific housing needs of people with serious mental illness.

#### 2] SFHAPs allow residents to choose where they live based off their needs --- empirically proven with disabled individuals.

Cooper 3.Emily Cooper et. Al 3, Rachel Bergquist, Kevin Martone, and Melany Mondello, April 2014, State Funded Housing Assistance programs, Technical Assistance Collaborative, <http://www.tacinc.org/media/43566/State%20Funded%20Housing%20Assistance%20Report.pdf> pg. 2

**The majority of the Subsidy programs funded by states** utilize a ‘tenant-based’ model, **allow**ing **the assisted household to locate housing of their choice in the community and receive help paying the rent** (as long as the unit meets any established program standards). A smaller number of Subsidy programs, 8 (15%), allow rental assistance to be provided using a ‘sponsor-based’ model. With sponsor-based rental assistance, agencies, usually nonprofit organizations, locate and rent housing units in the private market and then sublease the units to extremely low- and very low-income households. Sponsor-based assistance is often used when the target population has significant barriers to housing, such as criminal records or poor housing history. Fourteen (27%) **Subsidy programs allow rental assistance to be tied to a specific unit in an identified property, known as ‘project-based’ rental assistance. Some of these project-based programs were created as part of broader state initiatives to make more mainstream affordable units available to extremely low-income persons with disabilities.** Similar to new HUD Section 811 Supportive Housing for Persons with Disabilities Project Rental Assistance (PRA) model, **these state programs provide project-based or operating subsidies to the property, allowing for lower rents for tenants.** It is also worth noting that three of the project-based programs provide state-funded public housing units.

#### 3] Radical policies like housing must be implemented at the state level before they can ever be considered on a national level, since states have more flexibility.

**Judis 13** John B. Judis. July 16, 2013. “Federal Government Is More Powerful Than State Government.”

**State governments are a key trial ground for national policies**. States, or alliances of states, have attempted to nullify federal power, but the federal government has eventually prevailed, although in the case of Southern slavery, it took a four-year war for the federal government to do so. Beyond that, **states** **have served as pockets** of resistance or **innovation**, attempting to weaken federal laws, or **to advance new legislation that the federal government is not yet ready to consider.** On the left, **states during the Progressive Era introduced economic legislation that the New Deal later adopted for the nation.** That led Louis Brandeis to dub them “laboratories of democracy.” **Recently,** **states have pioneered universal health insurance and climate change regulation**. On the right, Republican governors are currently attempting to reduce the scope of the Affordable Care Act and to impose restrictions on abortion that undermine the Supreme Court’s ruling in Roe v. Wade. The question about these efforts, like those from the left during the Progressive Era efforts, is whether they can be expanded nationally.

### Federalism Good

#### Key to US competitiveness and power and accesses every impact

Calabresi 95 [Steven Calabresi, Associate Professor of Law, Northwestern University, 1995, 94 Mich. L. Rev. 752, l/n]

b. Internationalist Federalism: Preventing War, Promoting Free Trade, and Exploiting Economies of Scale. So far, I have focused on the advantages of American-style small-state federalism in defusing centrifugal devolutionary tendencies, alleviating majority tyranny, and accentuating crosscutting social cleavages. But what about the advantages of international federalism; what are the ad- [\*771] vantages of consolidating states into larger federal entities, as happened in North America in 1787 or in Europe in 1957? / A first and obvious advantage is that consolidation reduces the threat of war. Because war usually occurs when two or more states compete for land or other resources, a reduction in the number of states also will reduce the likelihood of war. This result is especially true if the reduction in the number of states eliminates land boundaries between states that are hard to police, generate friction and border disputes, and that may require large standing armies to defend. In a brilliant article, Professor Akhil Amar has noted the importance of this point to both to the Framers of our Constitution and to President Abraham Lincoln. n52 Professor Amar shows that they believed a Union of States was essential in North America because otherwise the existence of land boundaries would lead here - as it had in Europe - to the creation of standing armies and ultimately to war. n53 The Framers accepted the old British notion that it was Britain's island situation that had kept her free of war and, importantly, free of a standing army that could be used to oppress the liberties of the people in a way that the British navy never could. / These old geostrategic arguments for federalist consolidation obviously hold true today and played a role in the forming of the European Union, the United Nations, and almost every other multinational federation or alliance that has been created since 1945. Sometimes the geostrategic argument is expanded to become an argument for a multinational defensive alliance, like NATO, against a destabilizing power, like the former Soviet Union. In this variation, international federalism is partly a means of providing for the common defense and partly a means of reducing the likelihood of intra-alliance warfare in order to produce a united front against the prime military threat. Providing for the common defense, though, is itself a second and independent reason for forming international federations. It was a motivation for the formation of the U.S. federation in 1787 and, more recently, the European Union. / A third related advantage is that international federations can undertake a host of governmental activities in which there are significant economies of scale. This is one reason why federations can provide better for the common defense than can their constituent parts. Intercontinental ballistic missiles, nuclear-powered aircraft [\*772] carriers and submarines, and B-2 stealth bombers tend to be expensive. Economies of scale make it cheaper for fifty states to produce one set of these items than it would be for fifty states to try to produce fifty sets. This is true even without factoring in the North American regional tensions that would be created if this continent had to endure the presence of fifty nuclear minipowers, assuming that each small state could afford to own at least one Hiroshima-sized nuclear bomb. Important governmental economies of scale obtain in other areas, as well, however, going well beyond national defense. For example, there are important economies of scale to the governmental provision of space programs, scientific and biomedical research programs, the creation of transportation infrastructure, and even the running of some kinds of income and wealth redistribution programs. / A fourth and vital advantage to international federations is that they can promote the free movement of goods and labor both among the components of the federation by reducing internal transaction costs and internationally by providing a unified front that reduces the costs of collective action when bargaining with other federations and nations. This reduces the barriers to an enormous range of utility-maximizing transactions thereby producing an enormous increase in social wealth. Many federations have been formed in part for this reason, including the United States, the European Union, and the British Commonwealth, as well as all the trade-specific "federations" like the GATT and NAFTA. / A fifth advantage to international federations is that they can help regulate externalities that may be generated by the policies and laws of one member state upon other member states. As I explain in more detail below, these externalities can be both negative and positive, n54 and, in both situations, some type of federal or international action may sometimes be appropriate. A well-known example of a problematic negative externality that could call for federal or international intervention occurs when one state pollutes the air or water of another and refuses to stop because all the costs of its otherwise beneficial action accrue to its neighbor. n55 [\*773] / Sixth and finally, n56 an advantage to international federation is that it may facilitate the protection of individual human rights. For reasons Madison explained in the Federalist Ten, n57 large governmental structures may be more sensitive than smaller governmental structures to the problems of abuse of individual and minority rights. n58 Remote federal legislatures or courts, like the U.S. Congress and Supreme Court, sometimes can protect important individual rights when national or local entities might be unable to do so. n59 As I have explained elsewhere, this argument remains a persuasive part of the case for augmented federal powers. n60 / Some of the best arguments for centripetal international federalism, then, resemble some of the best arguments for centrifugal devolutionary federalism: in both cases - and for differing reasons - federalism helps prevent bloodshed and war. It is no wonder, then, that we live in an age of federalism at both the international and subnational level. Under the right circumstances, federalism can help to promote peace, prosperity, and happiness. It can alleviate the threat of majority tyranny - which is the central flaw of democracy. In some situations, it can reduce the visibility of dangerous social fault lines, thereby preventing bloodshed and violence. This necessarily brief comparative, historical, and empirical survey of the world's experience with federalism amply demonstrates the benefits at least of American-style small-state federalism. n61 In light of this evidence, the United States would be foolish indeed to abandon its federal system. [\*774] \

## Needs Based Approach CP

### CP Shell

#### Counterplan Text: The United States should take a needs based approach to housing.

#### Competition:

#### Textually competitive- I use a needs based approach instead of a rights based approach which is different from the text of the AC.

#### Functional competition- the implication of a right is a demand in absolute instances, whereas the CP PICs out of the absolute claim- rather, we just give housing assistance based on circumstances.

#### Only a needs-based approach can effectively solve neoliberal institutions. It’s empirically proven to be effective.

**Noonan 17**, Jeff (Professor of Philosophy at the University of Windsor), and Josie Watson (clinical nursing Instructor at the University of Windsor). "Against Housing: Homes as a Human Life Requirement." Alternate Routes: A Journal of Critical Social Research 28 (2017).

In these sorts of cases, democratic **progress depends upon the mobilization of** social **forces against exclusionary rights to private property**. In these cases, a different social morality is brought into play, the social morality of need-satisfaction. Where the structure of **rights block**s **access** to needed resources, it becomes a means of legitimating objective harm. Since it allows the harms of need-deprivation to proceed unchecked, its own legitimacy comes into question**.** Its legitimacy is challenged by social movements which do not appeal to authorities or expertsto satisfy their rights for them, but draw on their own social power to secure access to and control over the resources that they need to satisfy their own rights. **This form of organizing is consistent with** the master democratic norm of **self-determination,** and is, in fact, the only way that needs can be satisfiedin an empowering, as opposed to paternalistic, way. To put this crucial point another way, **only a needs-based social morality exposes** the real problem with **the capitalist** value **system: it subordinates the life-value of goods** and services **to their money-value.** The basic life-value of any good is the contribution that it makes to the satisfaction of non-optional needs (McMurtry 1998: 164). When lifevalue is subordinated to money-value, **people can be deprived of that which they need and the economy still judged good,** because the basis of judgement is not the satisfaction of people’s life-requirements, but return on investment to the owners of capital. Such is the case with housing markets as currently constituted. Hundreds of thousands of people cannot afford homes, but if house prices are rising, the markets are judged good by those who profit from them. Occasionally (as with the Vancouver foreign buyers tax) **governments will intervene to cool markets** in order **to prevent the emergence of bubbles** and the deeper social problems they can cause**, but this** sort of regulation **is distinct from a structural solution** to the homelessness crisis**.**

#### Rights based approaches to housing are extremely vague and inefficient when held to particular instances- guts solvency and proves needs based approaches do more for the oppressed.

**Noonan 17**, Jeff (Professor of Philosophy at the University of Windsor), and Josie Watson (clinical nursing Instructor at the University of Windsor). "Against Housing: Homes as a Human Life Requirement." Alternate Routes: A Journal of Critical Social Research 28 (2017).

The Universal Declaration asserts that housing is a right, but it does not further define the conditions that count as satisfying that right. All rights-statements tend to be programmatic and abstract. A discussion of human life-requirements, by contrast, cannot be carried out without reflection on the nature of the life that has the requirements. In other words, it is never enough to assert that “x is a life-requirement,” one must always unpack the life-value of x in relation to human life to explain just what it is that x contributes to life which, if absent, would cause harm. We tried to provide this complex unpacking in the case of the need for homes in Section One. If we content ourselves with **the assertion that ‘housing is a right,’ it remains an open question** what is required to satisfy the right. Does any sort of ‘roof over one’s head’ constitute satisfaction of the right? Are the rights of social assistance recipients housed in motels while they await public housing violated? **There is no straightforward answer** to these questions if we focus only on the right to housin**g, because it does not explain why it is that human beings need housing,** beyond the obvious that we require shelter. **When the need deprived mobilize to explain just what they need,** and demand the resources to satisfy that need through their own labour and intelligence, **this problem disappears** because they tell everyone exactly what they require to satisfy their need.

### Framing (Reps)

#### omitted

### NB (Util)

#### Utilitarianism is inherently anti-rights- it challenges the very notion in which rights rely since it asks us to evaluate the consequences over the rights claim which further justifies the CP’s needs based approach.

**Heard 97** <http://www.sfu.ca/~aheard/417/util.html>

Human Rights: Chimeras in Sheep's Clothing?, Andrew Heard, 1997, THE CHALLENGES OF UTILITARIANISM AND RELATIVISM

**Utilitarian calculations on taking or sparing lives seem unavoidable** in other situations. **There is the classic case of a runaway trolley** **that can only be steered on two paths, one of which will run over one person and the other will run over five others. In that instance, the trolley driver would aim for the single individual.** But this case is a highly unsatisfactory example, since the driver has no choice but to kill someone and would try to spare as many lives as possible. A more germane illustration is found in a SWAT team's arrival on a scene where a gunman is holding an innocent hostage as a shield with one arm while shooting into a crowd with the other. Should the police fire immediately to stop the gunman's killings, even if the hostage would likely be shot at the same time? Or, should the police allow the gunman to continue shooting while they manoeuvre to a vantage point where they can shoot the gunman without harm to the hostage? In this instance, the principle of intervening action invoked by Gewirth would mean that the police are not responsible for the deaths caused by the gunman. Their direct duty is not to kill an innocent person themselves. They have a choice to kill the gunman and the hostage, or to wait and kill just the gunman. The police may even have the choice to simply wait until the gunman runs out of bullets and then tackle him without killing anyone themselves. Because they have the choice, they should not shoot the hostage just to stop the gunman killing others. However, many people simply would not agree with this approach. It may well be tragic, but justified nevertheless, for the police to shoot the hostage and gunman immediately rather than letting even more people be killed by the gunman. In this scenario, **a utilitarian calculation to save several lives would outweigh the one innocent life.** **Thus, not even an innocent person's right to life appears absolute.**

### NB (Cap DA)

#### The rights based approach fails to account for neoliberal institutions and serves to cause an institutional orientation to property.

**Noonan 17**, Jeff (Professor of Philosophy at the University of Windsor), and Josie Watson (clinical nursing Instructor at the University of Windsor). "Against Housing: Homes as a Human Life Requirement." Alternate Routes: A Journal of Critical Social Research 28 (2017).

In February 2016, Canada was again criticized by the UN agency responsible for monitoring enforcement of The International Covenant on Economic, Social and Cultural Rights (1966/1967) for its lack of progress in solving the problem. The report criticized Canada for the “absence of a national housing strategy; inadequate housing subsidy within the social assistance benefit; shortage of social housing units; increased evictions related to rental arrears; increased numbers of homeless and lack of homelessness prevention; shortage of emergency shelters; laws that penalize people for being homeless; lack of adequate housing for people with psycho-social and intellectual disabilities; and the poor housing conditions of Canada’s indigenous peoples” (Monsebraaten 2016). We of course concur with this criticism of decades of **government inattention to the growing problem of homelessness**, and do not disagree, in any dogmatic way, with the appeal to the right as a tactic of shaming governments into resuming their responsibilities for public investment in affordable housing. However, we want to argue that if access to housing is a right, it is a right because human beings have the sort of complex need for homes discussed in the previous section. If we accept that a) people have this complex need for homes and b) that it is systematically ignored by the normal operation of real estate markets and government policy, then c) it follows that homelessness **is a structural problem** of the normal operations of the socio-economic system, which prioritizes profitable investment over need satisfaction. Since, as we will now argue, **rights** are also a normal part of this same system, they **cannot, on their own, solve the problem** of the unmet complex need for homes. Thus, in order to understand the limits of a rights-based solution to the problem of homelessness**, we must understand the role rights have historically played in capitalism, and in order to understand the role they have played in capitalism,** we must think of capitalist society not only as a functional economic system, a mode of producing and distributing commodities, but also as a value-system which legitimates its way of producing and distributing commodities as good for those who live within it. Few if any societies have ever reproduced themselves solely on the basis of coercion, force, and overt political violence. Human societies, even the most oppressive, typically appeal to sets of norms that determine for a given socio-cultural system what is good and what is bad, and identify their social system with the unique conditions that allow that good to flourish (McMurtry 1998: 15). The threat of force against opponents is thus legitimated by appeal to the good that opponents threaten to ruin by their oppositional activity. If a majority can be convinced of the legitimacy of the value system, they will comply with its demands, making the need for overt violence unnecessary, and also creating citizens who will protect the integrity of the system against opponents, even in cases where, objectively speaking, the opponents make demands which are in the interests of the citizens. Liberal democratic capitalist societies are unique in the history of social organization for building in self-correcting mechanisms in the form of means of legitimate protest and social change. Rights have, since the eighteenth century, been essential to this self-correcting mechanism. The rights of citizens establish that which citizens may legitimately demand of their governments, and the formal procedures of democratic politics are the accepted means for pursuing these protests. In one sense, the legitimacy of protest and opposition represents a great historical victory over alien and oppressive political and social power. It comes, however, with built in limitations. Marx was the first to understand the systematic limitations of citizenship rights as the political means to achieve the social conditions for human freedom. In On the Jewish Question, he demonstrated that the condition of granting citizenship rights was their separation from the “private” economic sphere. In the political realm people are considered equal citizens, but this equal citizenship did not entail material equality in the sphere of production (Marx 1977: 153). On the contrary, in the sphere of production other laws prevail: the laws of self-interest, pursuit of individual advantage, and the distribution of income and advantage according to market forces (Marx 1986: 43). While the development of social **rights** **in the twentieth century** **ameliorated** **to** some extent (in the wealthiest capitalist countries) the gross deprivations of the Industrial Revolution and Victorian capitalism, they do not contest the dynamics of **the capitalist system as a whole,** its prioritization of private profit of comprehensive and universal need satisfaction, or legitimate **the mobilization of oppressed and exploited and alienated themselves to transform the structures that cause systematic need-deprivation in the first place** (Wood 2002: 130-1). As evidence, consider that explosion of inequality in the late twentieth and early twenty-first century, which did not require the formal revocation of any citizenship **rights**, but used political tactics to **weaken the power of workers to resist and protect their interests by intensifying competition between them** for jobs and investment. Where market forces are allowed more or less free play, the prices for a given commodity can rise beyond the ability of a large number of people to pay for it, with the result that, in cases where the commodity is a life-requirement, **people are harmed because they are deprived of that which they need**. When this structure of deprivation obtains, the deprived have three general alternatives. On the one hand, people can be left to suffer the consequences of their deprivation, as the homeless typically are today. On the other hand, **governments can use public policy to meet the need**, as they define it and to the extent that they feel it is necessary to present themselves as champions of people’s rights and to maintain social stability. This alternative is clearly better than the first. Still, it is distinct from the third, which occurs where **the need-deprived mobilize themselves**, **define** the extent of **their needs** **and what they regard as adequate means of satisfying them**, and demand access to the resources that would be required to satisfy them. The various direct action struggles that **the Ontario Coalition Against Poverty has organized over the years to combat homelessness in Toronto** (especially the occupation of empty buildings) **is a** small but **significant example of** **the** sort of **movement** we have **in mind**. Let us now contrast the implications **of** rights and **needs-based approaches to the problem of homelessness.**

#### That turns all their solvency- you cannot actually solve any of your impacts.

**Noonan 17**, Jeff (Professor of Philosophy at the University of Windsor), and Josie Watson (clinical nursing Instructor at the University of Windsor). "Against Housing: Homes as a Human Life Requirement." Alternate Routes: A Journal of Critical Social Research 28 (2017).

The first point to note is that **the right (to housing**, in this case) is asserted as a counter-claim against the logic of production for profit, but it **does not contest the legitimacy of the value system** whose normal outcomes – society-wide deprivation – **it tries to correct**. Just as in the case of the constitutions of liberal-democratic states, the Universal Declaration of Human Rights also recognizes the right to private property, without distinguishing personal property for use from universally required life-resources. Where the latter: land, water, minerals, productive apparatuses, and labour power are allowed to become private property, the products of their combination determined by considerations of profitability, and the acquisition of those products determined by ability to pay, there will always be crises of need deprivation, as the history of capitalism attests. The problem is that the appeal to the right to the need-satisfying good is met by a counter-appeal to the right to dispose of private property as the owner sees fit. The right of the home-deprived to public **housing is met by the counter-right of those with capital to dispose of it as they see fit in projects that return profit to themselves.** Where moral obligation is understood in the language of rights, duty extends only so far as other people’s rights over us. Where private property is a legal and accepted institution, individual rights to the goods that will satisfy their needs do not extend to other people’s personal property. If I am hungry and you have a sandwich, I have no right to half. **The structure of moral obligation becomes a problem when private property extends to the control of basic natural resources and vast pools of social wealth, such that one group’s holdings prevent other groups from satisfying their needs**. Those groups will have no legally actionable right against those who have (legitimately, within the rules of the game) acquired that property, and thus will not be able to satisfy their needs just by acting on their rights because their right does not override the opposed rights of private property. Right is met by right in this contradictory way because **the “rights-ground of social morality” has co-evolved with the capitalist mode of production** (Noonan 2006: xvi-xvii). A ground of social morality is the basis of legitimate claims on social wealth and natural resources. In capitalism, **rights** (legally actionable entitlements) **serve as the basis of legitimate claims on social resources**. However, these rights come in two forms: the right of exclusionary private property in life-resources represented by money, and the right of universal life-requirement satisfaction of those systemically deprived of needed goods. The problem, from a practical perspective, is that if there is to be public provision legitimated by appeal to people’s needs, there must be funds for public provision, which can only be acquired through taxation. **Those with surplus wealth will** resist paying higher taxes and **legitimate their resistance by appeal to their right to private property**. Moreover, if there are economic forces (such as those unleashed by globalization) that create pressure to reduce marginal tax rates on the rich, then funds for public investment can dry up, without there being any formal violation of anyone’s rights under the rights-ground of social morality, since it does not specify which of the two countervailing sets of rights are to win in any conflict, but rules out extra-legal struggle to resolve them.

#### Capitalism causes inevitable crises, inequality, and dehumanization which turns and outweighs the case.

**McClaren 14** Peter McClaren. Professor of Education, UCLA. “Critical Pedagogy Against Capitalist Schooling.” <http://www.globaleducationmagazine.com/critical-pedagogy-againstcapitalist-schooling-socialist-alternative-interview-peter-mclaren/>. Accessed 4/26/14.

While well-meaningprogressive educators might be willing to criticize the manner in which humans are turned into dead objects that Marxists refer to as fetishized commodities, they are often loathe to consider the fact that **within capitalist society**, all value originates in the sphere of production and that one of **the primary roles of schools is to serve as agents** or functionaries **of capital**. Furthermore, they fail to understand that **education is** more **reproductive of an exploitative** social **order** than a constitutive challenge to it precisely because it rests on the foundations of capitalist exchange value. Reading Marx and Freire may not alchemize us into revolutionaries capable of transcending capitalism but ignoring what they had to say about transforming education in the context of class struggle would be a huge loss to our efforts. Much of my work has tried to demonstrate that many liberal **progressive educational reforms are embedded in a** larger retrograde, opportunistic and **banalizing politics that situates itself a culture of liberal compassion** and a polyglot cosmopolitanism that does more to impede educational transformation than advance it. **Revolutionary** critical **pedagogy is** a mode of social **knowing that inquires into** what is not said, into the silences and **the suppressed** or the missing, in order **to un-conceal operations of economic** and political **power** underlying the concrete details and representations of our lives. It reveals how the abstract logic of the exploitation of the division of labor informs all the practices of culture and society. **Materialist critique** disrupts that which represents itself as natural and thus as inevitable and explains how it is materially produced. Critique, in other words, **enables us to explain** how social differences—gender, race, sexuality, and class—have been systematically produced and continue to operate within regimes of **exploitation—namely within the international division of labor in global capitalism, so that we can fight to change them**. Thus, apedagogy of critique is about the production of transformative knowledges. It is not about liberty as the freedom of desire, because this liberty, this freedom of desire, is acquired at the expense of the poverty of others. A pedagogy of critique does not situate itself in the space of the self, or in the space of desire, or in the space of liberation, but in the site of collectivity, need and emancipation To sum up, **teachers need to support sustainable alternatives to neoliberal capitalism** with its emphasis on economic growth; protect nature’s resources for future generations; protect ecosystems and help support biodiversity; support a community based economics, and a grassroots democracy that includes participatory and direct forms, embody anti-racist, anti-ableist, anti-sexist, and anti-homophobic pedagogies that respect diversity and work from a post-patriarchal perspective.

#### Our critique independently outweighs the case - neoliberalism causes extinction and massive social inequalities.

**Farbod 15** ( Faramarz Farbod , PhD Candidate @ Rutgers, Prof @ Moravian College, Monthly Review, http://mrzine.monthlyreview.org/2015/farbod020615.html, 6-2)

Global capitalism is the 800-pound gorilla. The twin ecological and economic crises, militarism, the rise of the surveillance state, and a dysfunctional political system can all be traced to its normal operations. We need a transformative politics from below that can challenge the fundamentals of capitalism instead of today's politics that is content to treat its symptoms. The problems we face are linked to each other and to the way a capitalist society operates. We must make an effort to understand its real character. The fundamental question of our time is whether we can go beyond a system that is ravaging the Earth and secure a future with dignity for life and respect for the planet. What has capitalism done to us lately? The best science tells us that this is a do-or-die moment. We are now in the midst of the 6th mass extinction in the planetary history with 150 to 200 species going extinct every day, a pace 1,000 times greater than the 'natural' extinction rate.1 The Earth has been warming rapidly since the 1970s with the 10 warmest years on record all occurring since 1998.2 The planet has already warmed by 0.85 degree Celsius since the industrial revolution 150 years ago. An increase of 2° Celsius is the limit of what the planet can take before major catastrophic consequences. Limiting global warming to 2°C requires reducing global emissions by 6% per year. However, global carbon emissions from fossil fuels increased by about 1.5 times between 1990 and 2008.3 Capitalism has also led to explosive social inequalities. The global economic landscape is littered with rising concentration of wealth, debt, distress, and immiseration caused by the austerity-pushing elites. Take the US. The richest 20 persons have as much wealth as the bottom 150 million.4 Since 1973, the hourly wages of workers have lagged behind worker productivity rates by more than 800%.5 It now takes the average family 47 years to make what a hedge fund manager makes in one hour.6 Just about a quarter of children under the age of 5 live in poverty.7 A majority of public school students are low-income.8 85% of workers feel stress on the job.9 Soon the only thing left of the American Dream will be a culture of hustling to survive. Take the global society. The world's billionaires control $7 trillion, a sum 77 times the debt owed by Greece to the European banks.10 The richest 80 possess more than the combined wealth of the bottom 50% of the global population (3.5 billion people).11 By 2016 the richest 1% will own a greater share of the global wealth than the rest of us combined.12 The top 200 global corporations wield twice the economic power of the bottom 80% of the global population.13 Instead of a global society capitalism is creating a global apartheid. What's the nature of the beast? Firstly, the "egotistical calculation" of commerce wins the day every time. Capital seeks maximum profitability as a matter of first priority. Evermore "accumulation of capital" is the system's bill of health; it is slowdowns or reversals that usher in crises and set off panic. Cancer-like hunger for endless growth is in the system's DNA and is what has set it on a tragic collision course with Nature, a finite category. Secondly, capitalism treats human labor as a cost. It therefore opposes labor capturing a fair share of the total economic value that it creates. Since labor stands for the majority and capital for a tiny minority, it follows that classism and class warfare are built into its DNA, which explains why the "middle class" is shrinking and its gains are never secure. Thirdly, private interests determine massive investments and make key decisions at the point of production guided by maximization of profits. That's why in the US the truck freight replaced the railroad freight, chemicals were used extensively in agriculture, public transport was gutted in favor of private cars, and big cars replaced small ones. What should political action aim for today? The political class has no good ideas about how to address the crises. One may even wonder whether it has a serious understanding of the system, or at least of ways to ameliorate its consequences. The range of solutions offered tends to be of a technical, legislative, or regulatory nature, promising at best temporary management of the deepening crises. The trajectory of the system, at any rate, precludes a return to its post-WWII regulatory phase. It's left to us as a society to think about what the real character of the system is, where we are going, and how we are going to deal with the trajectory of the system -- and act accordingly. The critical task ahead is to build a transformative politics capable of steering the system away from its destructive path. Given the system's DNA, such a politics from below must include efforts to challenge the system's fundamentals, namely, its private mode of decision-making about investments and about what and how to produce. Furthermore, it behooves us to heed the late environmentalist Barry Commoner's insistence on the efficacy of a strategy of prevention over a failed one of control or capture of pollutants. At a lecture in 1991, Commoner remarked: "Environmental pollution is an incurable disease; it can only be prevented"; and he proceeded to refer to "a law," namely: "if you don't put a pollutant in the environment it won't be there." What is nearly certain now is that without democratic control of wealth and social governance of the means of production, we will all be condemned to the labor

### Competition Add-On

#### Rights are not the same as needs.

**Hartman 98**, Chester. (Hartman is Executive Director of the Poverty & Race Research Action Council in Washington, DC.) "The Case for a Right to Housing." Housing Policy Debate 9.2 (1998): 223-41. Web. <https://pdfs.semanticscholar.org/b39f/779ea88791e8f08dbb1351ec060ab6439085.pdf>.

The content of rights is thus a constantly evolving drama, as those¶ lacking what they perceive as fundamental entitlements, together¶ with their intellectual and political supporters, raise new issues,¶ make new demands, and organize politically to assert and bring¶ into being new elements to society’s understanding and acceptance¶ of what everyone should have. This is distinct from, albeit related¶ to, the concept of ‘‘needs.’’ Needs, standards, and the demands they¶ generate bear a relation to concepts of and struggles around rights.¶ But rights have an independent life, in origin, rationale, and political¶ dynamic.